THE HONOURABLE MS. JUSTICE G. ROHINI

W.P.No.27712 of 1997
Date: 09-10-2007

Between:
G.Gopal Reddy

Petitioner

And

The District Collector,
Chittoor District, Chittoor and others

Respondents

THE HONOURABLE MS. JUSTICE G.ROHINI

W.P.No.27712 of 1997

ORDER:

1. This writ petition is filed seeking a declaration that the alleged action of the respondents in seeking to lay a road in the lands belongings to the petitioner situated in Survey No.568, 570 and 572 of Gurramkonda Revenue Mandal, Chittoor District, as arbitrary and illegal.

2. It is contended by the petitioner that the action of the respondents in seeking to dispossess the petitioner from his private land for the purpose of laying a road without acquiring the same following the due process of law is arbitrary and illegal.

3. Though this court ordered Rule nisi on 24-10-1997, no counter affidavit is filed by any of the respondents and the interim order dated 24-10-1997 not to interfere with the possession of the petitioner in respect of the land in question, continued to be in operation all through.

4. Having regard to the facts and circumstances of the case and particularly keeping in view the uncontradicted averments in the writ petition, I deem it appropriate to dispose of the writ petition with a direction to the respondents not to interfere with the possession of the petitioner in

respect of the land in question in any manner whatsoever without following due process of law. No order as to costs.

5. Accordingly, the writ petition is disposed of. No costs.

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G.ROHINI,J

09-10-2007

Stp